

ORDINANCE NO. 111-19

AN ORDINANCE AMENDING SECTION 541.08 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO TO PROHIBIT INTIMIDATION ON THE BASIS OF SEX, GENDER IDENTITY OR EXPRESSION, OR SEXUAL ORIENTATION

WHEREAS: This Council aims to ensure that criminal intimidation on the basis of sex, gender identity or expression, or sexual orientation is a punishable offense under the City’s Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Medina, Ohio that:

Section 1. Section 541.08, “Ethnic Intimidation,” of Chapter 541, “Property Offenses,” of the Codified Ordinances of the City of Medina,” is amended as follows:

“541.08 ~~ETHNIC~~ INTIMIDATION.

(a) No person shall violate Ohio R.C. 2903.21, 2903.22, 2909.06, 2909.07 or 2917.21(A)(3) to (5) or Sections 537.05, 537.06, 537.10 (a)(3) to (5), 541.03 or 541.04 of the General Offenses Code by reason of the race, color, religion, ~~or~~ national origin, **sex, gender identity or expression, or sexual orientation** of another person or group of persons.

(b) **In a prosecution under this section, the offenders’ motive, reason or purpose may be shown by the offender’s temporally related conduct or statements before, during or after the offense, including ethnic, sexual orientation, gender identity or expression, religious or racial slurs, and by the totality of the facts, circumstances and conduct surrounding the offense.**

(c) Whoever violates this section is guilty of ~~ethnic~~-intimidation. ~~Ethnic~~-**I**ntimidation is an offense of the next higher degree than the offense the commission of which is a necessary element of ~~ethnic~~-intimidation.

(d) **This section does not apply if the facts alleged in the complaint would constitute a felony under Section 2927.12 of the Ohio Revised Code.**

(e) **The Police Department shall keep and maintain records of reported violations of this section and reported incidents the motive of which is victim’s race, color, religion, national origin, sex, gender identity or expression, or sexual orientation.**”

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

Section 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: July 8, 2019

SIGNED: John M. Coyne, III
 President of Council

ATTEST: Kathy Patton
 Clerk of Council

APPROVED: July 9, 2019

SIGNED: Dennis Hanwell
 Mayor

Effective date: August 7, 2019